

APR 14 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CECIL KENNETH KLEM,

Defendant - Appellant.

No. 04-10093

D.C. No. CR-00-00885-ROS

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Arizona
Roslyn O. Silver, District Judge, Presiding

Submitted April 5, 2006^{**}

Before: HAWKINS, McKEOWN and PAEZ, Circuit Judges.

Cecil Kenneth Klem appeals from the sentence imposed upon revocation of supervised release. In light of Klem's response to this court's February 3, 2006 order to show cause confirming that he has been released from custody, this appeal

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

is dismissed for lack of jurisdiction. *See United States v. Palomba*, 182 F.3d 1121, 1123 (9th Cir. 1999).

DISMISSED.